(3)
CHODK

IN THE HIGH COURT OF JUDICATURE AT BILASPUR

WRIT PETITION NO. 3678 /2003

PETITIONER : Dr. Vinod Kumar Gupta, S/o Shri R.S.Gupta, aged 40 years, Occupation-Service (presently posted as Ayurveda Medical Officer in Government Ayurvedic Dispensary, Jashpurnagar), R/o Sanna Road, Jashpurnagar (C.G.)

-VERSUS-

RESPONDENTS :

1. State of Chhattisgarh through Secretary, Department of Health and Medical Education, D.K.S.Bhavan, Raipur (C.G.)
2. Director, Department of Indian System of Medicine and Homeopathy, Old Nurses Hostel, Near Secretariat, Raipur (C.G.)
3. Collector, Jashpur (C.G.)
4. Superintendent-cum-District Ayurveda Officer, Jashpurnagar (C.G.).

P. R. No. 3480/03
Presented by Shri Shivkr Gupta
dated 06.11.03

WRIT UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF A SUITABLE WRIT, ORDERS OR DIRECTION.

(26)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP 3678/03 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

19-12-2003

Shri Indrasen Sahu, counsel for the petitioner.

Shri Ranbir Singh, Govt. Advocate takes notice for respondent No.1.

By this petition filed under Articles 226/227 of the Constitution of India, the petitioner is challenging the action of the respondent/State by not relieving him to join the State of M.P. as he has been allocated to the State of M.P. under the M.P. Re-organization Act, 2000.

The petitioner is working as Ayurved Medical Officer and presently posted at Jashpur. IN pursuance fo the provisions of M.P. Re-reganization Act, 2000 the petitioners' services were allocated to the State of M.P. The tentative final allocation list was confirmed by the Union of India vide order dated 9-9-2002 and the State of M.P. issued an order No.F-3-54/02/Ch.Sh./55/2 dated 30-10-2002 and posted the petitioner at Panwadi,District Shajapur and one Ramesh Agrawal has been sent to the State of C.G., in place of the petitioner. The petitioner opted for the State of M.P. due to his family problems, the wife of the petitioner is posted in District Udamsinghnagar (Uttranchal) and due to the petitioner's posting in the remote district of the State of C.G. the petitioner is compelled to live separately from his family.

The petitioner had given a representation to the respondent No.1 and on the representation submitted by the petitioner, the respondent

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XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित — 2 —	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

No.4 has given specific endorsement that if the petitioner is relieved from the State of M.P. the administrative work in the State of C.G. would not get adversely affected.

Learned counsel for the petitioner submitted that he may be allowed to make a representation to the respondent No.1 to which the learned counsel for respondents has no objection.

Having heard the learned counsel for the parties and having regard to the facts and circumstances of the case, the petitioner is allowed to make a detailed representation raising all his grievances to the respondent No.1 within a period of 10 days from today and respondent No.1 is directed to decide the representation of the petitioner by considering all his grievances and shall pass reasoned order in an objective manner.

With these directions, the writ petition is disposed of.

In view of this order, M.(W.)P. No. 3215/2003 and I.A.No.10562/2003 stand disposed of.

Parties are entitled for certified copy of this order.

Sd/-
L.C. Bhadoo
Judge

Barnel

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